



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

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JEFFREY A. DOUGHERTY
Assistant Corporation Counsel
Room 3-141
Telephone: 212-788-8342
Facsimile: 212-788-9776
jdougher@law.nyc.gov

MEMO ENDORSED

December 6, 2011

BY EMAIL

Honorable Richard J. Sullivan
United States District Judge
United States District Court, Southern District of New York
500 Pearl Street, Suite 615
New York, New York 10007

Re: *Schiller v. City of New York*, 04-cv-7922 (RJS) (JCF)
RNC Consolidated Cases (RJS) (JCF)

Dear Judge Sullivan:

I write to request that Your Honor "so order" this letter application respectfully requesting permission to file discs containing Defendants' reply papers in further support of their motion for summary judgment to dismiss all of Plaintiffs' claims regarding the No Summons Policy and the Fingerprinting Policy under seal. Defendants submit this additional request in order to satisfy the requirements of the Clerk's Office pertaining to filing sealed records. The Clerk's Office has only accepted Defendants filing under seal in *Schiller* and advised that they cannot spread *Schiller* Docket Entry No. 611 (indicating Defendants' reply papers were placed in the vault) to all of the RNC Consolidated Cases. The Clerk's Office further advised that while they viewed Your Honor's prior order as permitting filing under seal in all 44 RNC Cases in which Defendants filed their motion they would only accept Defendants' filings in all cases if they were provided both hard copies and a disc. As this would be a paradigm waste of resources and result in printing and binding of approximately 8,000 pages, after further consultation with the Clerk's Office it was determined that they could accept discs alone containing the sealed versions of Defendants' reply papers and thereafter could appropriately docket the sealed records in each pertinent RNC action if Your Honor ordered them to do so.

Accordingly, Defendants respectfully request that Your Honor "so order" the Clerk of Court to accept and file discs "under seal" containing Defendants' reply papers regarding their motion for summary judgment consisting of: (1) Defendants' Reply Brief; (2) Defendants' Reply

56.1 Statement; and (3) the Declaration of Jeffrey A. Dougherty dated November 23, 2011 in each of the forty-three ("43") RNC Consolidated Cases listed in Appendix A annexed hereto.

Respectfully submitted,

/s/

Jeffrey A. Dougherty

cc: All RNC Counsel (via email distribution list)

SO ORDERED
Date: 
12/7/11
RICHARD J. SULLIVAN
U.S.D.J.

Appendix A

Defendants Request Permission to File Discs Containing Their Reply Papers in the Following Forty-Three ("43") RNC Consolidated Cases:

1. *Abdell v. City of New York*, 05-cv-8453;
2. *Adams v. City of New York* 05-cv-9484;
3. *Araneda v. City of New York* 05-cv-9738;
4. *Bastidas v. City of New York* 05-cv-7670;
5. *Bell v. City of New York*, 05-cv-3705;
6. *Biddle v. City of New York* 05-cv-1570;
7. *Botbol v. City of New York* 05-cv-1572;
8. *Bunim v. City of New York* 05-cv-1562;
9. *Coburn v. City of New York* 05-cv-7623;
10. *Cohen v. City of New York* 05-cv-6780,
11. *Concepcion v. City of New York* 05-cv-8501;
12. *Crotty v. City of New York*, 05-cv-7577;
13. *Dinler v. City of New York* 04-cv-7921;
14. *Drescher v. City of New York* 05-cv-7541;
15. *Dudek v. City of New York* 04-cv-10178;
16. *Eastwood v. City of New York* 05-cv-9483;
17. *Epstein v. City of New York* 05-cv-1563;
18. *Galitzer v. City of New York* 05-cv-7669;
19. *Garbini v. City of New York* 05-cv-1565;
20. *Greenwald v. City of New York* 05-cv-1566;
21. *Grosso v. City of New York* 05-cv-5080;
22. *Jusick v. City of New York* 07-cv-7683;
23. *Kennedy v. City of New York* 07-cv-7678;
24. *Lalier v. City of New York* 05-cv-7580;
25. *Lee v. City of New York* 05-cv-5528;
26. *Macnamara v. City of New York* 04-cv-9216;
27. *Manders v. City of New York* 07-cv-7752;
28. *Meehan v. City of New York* 05-cv-5268;
29. *Moran v. City of New York* 05-cv-1571;
30. *Pagoda v. City of New York* 05-cv-7546;
31. *Phillips v. City of New York* 05-cv-7624;
32. *Pickett v. City of New York* 05-cv-1567;
33. *Portera v. City of New York* 05-cv-9985;
34. *Rigby v. City of New York* 07-cv-7751;
35. *Ryan v. City of New York* 05-cv-1564;
36. *Sikelianos v. City of New York* 05-cv-7673;
37. *Sloan v. City of New York* 05-cv-7668;
38. *Starin v. City of New York* 05-cv-5152;
39. *Stark v. City of New York* 05-cv-7579;
40. *Tikkun v. City of New York* 05-cv-9901;

41. *Tremayne v. City of New York* 05-cv-1568;
42. *Winkelman v. City of New York* 05-cv-2910; and
43. *Xu v. City of New York* 05-cv-7672.